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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/707,353	12/08/2003	Yu-Chieh Lin	PMXP0173USA	1352

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BERKELEY LAW & TECHNOLOGY GROUP, LLP
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EXAMINER

CHEN, CHIA WEI A

ART UNIT	PAPER NUMBER
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2609

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	04/20/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No.	Applicant(s)	
	10/707,353	LIN, YU-CHIEH	
	Examiner	Art Unit	
	Chia-Wei A. Chen	2609	

– The MAILING DATE of this communication appears on the cover sheet with the correspondence address –

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 December 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 08 December 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>2/10/2006</u> . | 6) <input type="checkbox"/> Other: _____ |

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DETAILED ACTION

Priority

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Information Disclosure Statement

2. The references listed on the Information Disclosure Statement filed on 12/8/2003, have been considered by examiner (see attached PTO/SB/08).

Specification

3. The use of parentheses in claims 1, 6, and 10 are improper since parentheses are used only for reference characters; see MPEP 608.1(m).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1, 3-5, and 7-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Watkins (US 6,859,609 B1) in view of Sarbadhikari et al. (US 5,477,264).

As to claim 1, Watkins discloses a method for optimizing audiovisual (AV) signals (col.

4, line 28) comprising: storing an optimization program (276) in a memory of an AV

device (see col. 9, lines 36-38); but does not teach executing the optimization program

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by a host computer to process the AV signals stored in the memory after connecting the memory to the host computer.

Sarbadhikari et al. teaches executing the optimization program by a host computer to process the image signals stored in the memory after connecting the memory to the host computer (col. 8, lines 5-17).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have used the execution of the optimization program by a host computer of Sarbadhikari et al. with the method for optimization of audiovisual signals of Watkins to "make it convenient to view the images on almost any computer without requiring that the computer be supplied with a plug-in to provide the image processing code." (See col. 8, lines 44-49.)

As to claim 10, note the discussion of claim 1 above. Sarbadhikari et al. teaches a memory (24) for storing the optimization program and the image signals captured by the image capture device (1) (see col. 4, lines 6-9).

As to claim 3, Watkins clearly teaches the method further comprising attaching an index (e.g., "time-mark locator") to the AV signals processed by the optimization program (see col. 8, line 4).

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As to claim 4, Sarbadhikari et al. clearly teaches the method wherein the optimization program is copied to a memory of the host computer before the host computer executes the optimization program (col. 8, lines 10-13).

As to claim 5, Watkins et al. clearly teaches the method wherein the optimization program (276) is for optimizing the AV signals stored in the memory (300).

As to claim 7 and 11, Watkins clearly teaches the method wherein the AV device (100) is a digital camera (see fig. 2, col. 4, lines 54-56).

As to claims 8, 12, Watkins clearly teaches the method of claim 1 wherein the AV device is a digital recorder (col. 4, lines 26-27).

As to claim 9, Watkins clearly teaches a device (e.g., "digital recorder") implementing the method of claim 1 (col. 4, lines 26-27).

As to claim 13, Sarbadhikari et al. clearly teaches the image capture device further comprising a ROM (24) for storing the optimization program (col. 6, lines 63-66).

6. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Watkins in view of Sarbadhikari et al. as applied to claims 1, 3-5, and 7-13 above, and further in view of Sasson et al. (US 5,016,107).

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As to claim 2, Watkins in view of Sarbadhikari et al. teaches the method of claim 1, but does not teach further comprising storing the AV signals processed by the optimization program back to the memory.

Sasson et al. teaches storing the image signals processed by the optimization program (e.g., "compression process") back to the memory (e.g., "memory card") (col 8, lines 29-41).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have used the compression program and memory of Sasson et al. with the optimization program of Watkins in view of Sarbadhikari et al. so that "the byte requirement for a picture can be reduced by a factor of ten and many more images can be stored in the memory card." (See col. 2, line 68-col. 3, line 3.)

7. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Watkins in view of Sarbadhikari et al. as applied to claims 1, 3-5, and 7-13 above, and further in view of Klein (US 2002/0023206 A1).

As to claim 6, Watkins in view of Sarbadhikari et al. teaches the method of claim 1, but does not teach wherein the optimization program is copied from a read-only memory (ROM) of the AV device to the memory of the AV device.

Klein teaches wherein the optimization program is copied from a read-only memory (ROM) of the computer device to the memory (RAM) of the computer device ([0016]).

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Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have used the copying of the optimization program from ROM to memory of Klein with the method of Watkins in view of Sarbahikari et al. since "fetching and executing instructions from the RAM over a relatively high-speed memory bus is so much faster than fetching and executing those same instructions over one or more relatively low-speed peripheral buses." (See [0004] of Klein.)

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Albadawi et al. (US 6,995,793 B1) discloses a video tap for a digital motion camera that simulates the look of post processing.

Fukuoka (US 6,104,430) discloses a digital electronic still camera which receives an input/output control program through a detachable communication interface card.

Fichtner (US 7,170,551) discloses an Automatic transfer of image information between imaging device and host system.

Inquiries

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chia-Wei A. Chen whose telephone number is 571-270-1707. The examiner can normally be reached on Monday - Friday, 7:30 - 17:00 EST.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chanh Nguyen can be reached on 571-272-7772. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

CC
4/5/2007


CHANH D. NGUYEN
SUPERVISORY PATENT EXAMINER